

Beginning February 1, 2017, under Local Rule 13.05, it is the procedure of this Court to order the U.S. Attorney's Office to file a sealed statement in all criminal cases in which a defendant enters a guilty plea that will either explain the terms of a defendant's cooperation or state that a defendant did not cooperate with the government. The public will not be able to determine whether a defendant did or did not cooperate with the government by reading these docket entries.

INTERP,1stSTEP,CJA,CompRel,FORFEIT,RLW-3

U.S. District Court
Eastern District of Missouri (St. Louis)
CRIMINAL DOCKET FOR CASE #: 4:16-cr-00066-RLW-1

Case title: USA v. Pisman et al

Date Filed: 02/18/2016

Related Case: 4:19-cv-00307-RLW

Date Terminated: 06/25/2018

Assigned to: District Judge
Ronnie L. White

Defendant (1)

Yakov Pisman

TERMINATED: 06/25/2018

also known as

Yasha

TERMINATED: 06/25/2018

also known as

Yacov Pisman

TERMINATED: 06/25/2018

represented by **Andrew J. Sottile**

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Bar Status: Active

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Pending Counts

Conspiracy to traffic in
contraband cigarettes and money
laundering
(1s)

Traveling in interstate commerce
with the intent to promote,
manage, establish, carry on, or
facilitate the promotion,
management, establishment, or
carrying on, of any unlawful
activity, money laundering
(2s)

Disposition

The defendant pleaded guilty to count(s) one and two of the superseding information on February 22, 2018. The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of 87 months. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. he defendant shall pay to the United States a special assessment of \$100 on each of counts land 2, for a total of \$200 and restitution of \$53,600,000.00.

The defendant pleaded guilty to count(s) one and two of the superseding information on February 22, 2018. The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of 87 months. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. he defendant shall pay to the United States a special

assessment of \$100 on each of counts land 2, for a total of \$200 and restitution of \$53,600,000.00.

Highest Offense Level
(Opening)

Felony

Terminated Counts

Conspiracy to traffic in
contraband cigarettes & money
laundering
(1r)

Disposition

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Anthony J. Debre**
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Email All Attorneys
(will not send to terminated parties)

Email All Attorneys and Additional Recipients
(will not send to terminated parties)

Date Filed	#	Docket Text
02/18/2016	<u>1</u>	INDICTMENT returned in open court on 2/18/2016 to Judge Ronnie L. White by the Foreperson of the Grand Jury. Referred to Magistrate Judge John M. Bodenhause as to Yakov Pisman (1) count(s) 1, Oleksandr Zyuz (2) count(s) 1, 5-9, Sergie Kishchenko (3) count(s) 1, 2-3, 10, 12-13, Oleg Deych (4) count(s) 1, 6, 9, 11, Svetlana Kishchenko (5) count(s) 1, Volodymyr Zyuz (6) count(s) 1, 9, 11, Mykhalo Zyuz (7) count(s) 1, Aleksandr Arbitman (8) count(s) 1, Oleg Godko (9) count(s) 1, Jacob Sheyn (10) count(s) 1, Vyacheslav Gershanovich (11) count(s) 1, 3, 10, 12-13, Inessa Vatman (12) count(s) 1, 4, 14, Max Tkach (13) count(s) 1, Roman Karapchuk (14) count(s) 1, 7-8. (Attachments: # <u>1</u> Criminal Cover Sheet) FORFEITURE ALLEGATION(DLB) (Entered: 02/19/2016)
02/18/2016	<u>2</u>	REDACTED INDICTMENT returned in open court on 2/18/2016 to Judge Ronnie L. White by the Foreperson of the Grand Jury. Referred to Magistrate Judge John M. Bodenhause as to Yakov Pisman (1): Former count 1 is now count 1r. Oleksandr Zyuz (2): Former count 1 is now count 1r. Former count 5-9 is now

		count 5r–9r. Sergie Kishchenko (3): Former count 1 is now count 1r. Former count 2–3 is now count 2r–3r. Former count 10 is now count 10r. Former count 12–13 is now count 12r–13r. Oleg Deych (4): Former count 1 is now count 1r. Former count 6 is now count 6r. Former count 9 is now count 9r. Former count 11 is now count 11r. Svetlana Kishchenko (5): Former count 1 is now count 1r. Volodymyr Zyuz (6): Former count 1 is now count 1r. Former count 9 is now count 9r. Former count 11 is now count 11r. Mykhalo Zyuz (7): Former count 1 is now count 1r. Aleksandr Arbitman (8): Former count 1 is now count 1r. Oleg Godko (9): Former count 1 is now count 1r. Jacob Sheyn (10): Former count 1 is now count 1r. Vyacheslav Gershanovich (11): Former count 1 is now count 1r. Former count 3 is now count 3r. Former count 10 is now count 10r. Former count 12–13 is now count 12r–13r. Inessa Vatman (12): Former count 1 is now count 1r. Former count 4 is now count 4r. Former count 14 is now count 14r. Max Tkach (13): Former count 1 is now count 1r. Roman Karapchuk (14): Former count 1 is now count 1r. Former count 7–8 is now count 7r–8r.. (DLB) (Entered: 02/19/2016)
02/18/2016	<u>3</u>	ENTRY OF ATTORNEY APPEARANCE Kenneth R. Tihen, Richard E. Finneran appearing for USA. (DLB) (Entered: 02/19/2016)
02/18/2016	<u>4</u>	Order:...IT IS BY THE COURT ORDERED that said indictment shall be sealed and suppressed by the Clerk of the Court until said defendant is in custody or has given bail for the defendant's final appearance. Order as to Yakov Pisman, Oleksandr Zyuz, Sergie Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk.. Signed by District Judge Ronnie L. White on 2/18/2016. (DLB) (Entered: 02/19/2016)
02/18/2016		Warrants Issued as to Indictment in case as to Yakov Pisman, Oleksandr Zyuz, Sergie Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. (DLB) (Entered: 02/19/2016)
02/19/2016		Pursuant to Local Rule 2.08, the assigned/referred magistrate judge is designated and authorized by the court to exercise full authority in this assigned/referred action or matter under 28 U.S.C. Sec. 636 and 18 U.S.C Sec. 3401. (CSAW) (Entered: 02/19/2016)
03/03/2016	<u>8</u>	ORDER on Motion to Lift Suppression Order as to Yakov Pisman, Oleksandr Zyuz, Sergie Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. Signed by Magistrate Judge John M. Bodenhausen on 3/3/16. (CAR) (Entered: 03/04/2016)
03/03/2016		Arrest of defendant Yakov Pisman in Eastern District of New York; date of arrest: 3/3/16 (KXS) (Entered: 03/08/2016)
03/04/2016	<u>42</u>	Rule 5(c)(3) Documents Received as to Yakov Pisman (Attachments: # <u>1</u> Rule 5, # <u>2</u> Waiver, # <u>3</u> CJA 20, # <u>4</u> Docket sheet)(KXS) (Entered: 03/08/2016)
03/04/2016	<u>43</u>	ORDER Setting Conditions of Release as to Yakov Pisman (1) \$75,000 Bond. Signed by Judge Ramon E. Reyes, Jr. on 3/3/16. (KXS) (Entered: 03/08/2016)
03/04/2016	<u>44</u>	CJA 23 Financial Affidavit by Yakov Pisman (KXS) (Entered: 03/08/2016)
03/09/2016	<u>77</u>	

		MOTION for Speedy Trial <i>and For Findings Of Fact Due To This Matter Being A Complex Case</i> by USA as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. (Tihen, Kenneth) (Entered: 03/09/2016)
03/15/2016	<u>89</u>	CJA 20 as to Yakov Pisman Appointment of Attorney Peter M. Cohen for Yakov Pisman . Signed by Magistrate Judge John M. Bodenhausen on 3/15/16. (LGK) (Entered: 03/15/2016)
03/21/2016	<u>100</u>	WAIVER by Yakov Pisman of physical appearance at arraignment and agrees to appear by video teleconference. (ARL) (Entered: 03/21/2016)
03/24/2016	<u>124</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen: Court reviews initial appearance, rights, charges and bond imposed in New York and adopts such. (TIP Interpreter name: Ilya Ruvinskiy.) (FTR Gold Operator initials: L. Wooley.) (FTR Gold: Yes.) (proceedings started: 2:01 p.m.) (proceedings ended: 2:06 p.m.) (Defendant Location: bond.) (LGK) (Entered: 03/24/2016)
03/24/2016	<u>125</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman Interpreter: Ilya Ruvinskiy proceedings started: 2:01 p.m. proceedings ended: 2:06 p.m. (LGK) (Entered: 03/24/2016)
03/24/2016	<u>126</u>	CJA 23 Financial Affidavit by Yakov Pisman (LGK) (Entered: 03/24/2016)
03/25/2016	<u>133</u>	SEALED Letter from Michael W. Warren, U.S. Pretrial Services Officer re: Bail Report Cover Letter. (Attachments: # <u>1</u> Bail Report Eastern District of New York) (MWW) (Entered: 03/25/2016)
03/25/2016	<u>134</u>	ENTRY OF ATTORNEY APPEARANCE: by Peter M. Cohen on behalf of Yakov Pisman (Cohen, Peter) (Entered: 03/25/2016)
03/25/2016	<u>136</u>	SCHEDULING ORDER AND COMPLEX CASE FINDING: as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach. IT IS HEREBY ORDERED that, a status hearing will be held on Monday, July 18, 2016, at 9:00 a.m., in Courtroom 15 South. Counsel for all parties and all defendants are required to attend. IT IS FURTHER ORDERED that, not later than September 30, 2016, the parties may file any relevant pretrial motion(s), and the parties shall respond to any such motion(s) no later than October 21, 2016...SEE ORDER FOR ADDITIONAL DETAILS AND DEADLINES.... Signed by Magistrate Judge John M. Bodenhausen on 3/25/16. (LGK) (Entered: 03/25/2016)
03/25/2016	<u>155</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen: Arraignment: Parties present for arraignment. Defendant waives reading of indictment, plea of not guilty as to Yakov Pisman (1) Count 1r held on 3/25/2016., Jury trial to be set by District Judge at the conclusion of the pretrial motion practice. Status Conference as to Yakov Pisman held on 3/25/2016 (TIP Interpreter name: Yelena Shukhina.) (FTR Gold Operator initials: L. Wooley.) (FTR Gold: Yes.) (proceedings started: 10:42 a.m.) (proceedings ended: 11:03 a.m.) (Defendant Location: bond.) (LGK) (Entered: 03/28/2016)
03/25/2016	<u>156</u>	

		MOTION for Extension For Additional Time To Obtain and Review Discovery Materials and To Determine Whether and/or What Pretrial Motions are to be Filed by Yakov Pisman. (LGK) (Entered: 03/28/2016)
03/25/2016	<u>157</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman Interpreter: Yelena Shukhina proceedings started: 10:42 a.m. proceedings ended: 11:03 a.m. (LGK) (Entered: 03/28/2016)
03/29/2016	<u>174</u>	PASSPORT NOTICE as to Yakov Pisman has been filed. Notice of Court Order: Order File Date: 3/24/2016. The above-named defendant is not permitted to apply for the issuance of a passport during the pendency of this action. (MWW) (Entered: 03/29/2016)
03/29/2016	<u>175</u>	PASSPORT NOTICE as to Yakov Pisman has been filed. Notice of Court Order: Order File Date: 3/24/2016. The above-named defendant is not permitted to apply for the issuance of a passport during the pendency of this action. (MWW) (Entered: 03/29/2016)
04/12/2016	<u>197</u>	SEALED MOTION and Proposed Order by USA as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. (Tihen, Kenneth) (Entered: 04/12/2016)
04/20/2016	<u>203</u>	PROTECTIVE ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, and Roman Karapchuk. Signed by Magistrate Judge John M. Bodenhausen on 4/20/16. (CAR) (Entered: 04/20/2016)
07/13/2016	<u>222</u>	NOTICE REGARDING STATUS HEARING: IT IS HEREBY ORDERED that a status hearing remains scheduled for Monday, July 18, 2016, at 9:00 a.m., in Courtroom 15 South. Counsel for all parties and all defendants are required to attend. Signed by Magistrate Judge John M. Bodenhausen on 7/13/16. (CAR) (Entered: 07/13/2016)
07/18/2016	<u>224</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen: Status Conference as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach held on 7/18/2016. Discussion held between Court and Counsel. Next status conference, attorneys only, set for 9/30/16 at 9:30 a.m. (TIP Interpreter name: Yelena Shukhina.) (FTR Gold Operator initials: L. Wooley.) (FTR Gold: Yes.) (proceedings started: 9:15 a.m.) (proceedings ended: 9:33 a.m.) (Defendant Location: ALL defendants' on bond.) (LGK) (Entered: 07/18/2016)
07/18/2016	<u>226</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, , Vyacheslav Gershanovich, Inessa Vatman, , Roman Karapchuk Interpreter: Yelena Shukhina proceedings started: 9:15 a.m. proceedings ended: 9:33 a.m. (LGK) (Entered: 07/18/2016)
07/18/2016	<u>227</u>	ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach,

		Roman Karapchuk: IT IS HEREBY ORDERED that the previous deadline for filing pretrial motions is vacated. IT IS FURTHER ORDERED that an attorneys-only status conference will be held on September 30, 2016, at 9:30 a.m.. Signed by Magistrate Judge John M. Bodenhausen on 7/18/16. (LGK) (Entered: 07/18/2016)
09/21/2016	<u>243</u>	MOTION to Continue ; Attorneys-Only Status Conference by USA as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. (Tihen, Kenneth) (Entered: 09/21/2016)
09/26/2016	248	Docket Text ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. This matter is before the Court on the Government's motion to continue the September 30, 2016, attorneys-only status conference. The Government's motion is GRANTED. The September 30, 2016, status conference is vacated. The attorneys-only status conference is reset for November 30, 2016, at 10:30 a.m. in Courtroom 15-South before the undersigned. SO ORDERED. John M. Bodenhausen, United States Magistrate Judge, September 26, 2016. (CEC) (Entered: 09/26/2016)
10/12/2016	<u>251</u>	ORDER as to Yakov Pisman, et al...IT IS HEREBY ORDERED that all issues in this case relating to reimbursement of counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A(d), are referred to United States Magistrate Judge John M. Bodenhausen pursuant to 28 U.S.C. §636(b). This referral includes issuance of all necessary orders for compensation of appointed counsel, including all matters included in 18 U.S.C. § 3006A(d) and in the Guide to Judiciary Policy, Vol. 7A, §230, Compensation and Expenses of Appointed Counsel. Magistrate Judge Bodenhausen may approve expenses and budgets, authorize interim payments and excess compensation under § 3006A(d)(3) (and may seek approval of the same from the Chief Judge of the Eighth Circuit), and may take any other actions necessary to assure that Criminal Justice Act services are provided in the most effective and cost-efficient manner. Signed by District Judge Ronnie L. White on 10/12/2016. (NEB) (Entered: 10/12/2016)
11/08/2016	262	Docket Text ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk: IT IS HEREBY ORDERED that the Memorandum and Order dated 11/8/16 [ECF No. 260] is stricken Nunc Pro Tunc. Signed by District Judge Ronnie L. White on 11/8/16. (ALM) (Entered: 11/08/2016)
11/30/2016	<u>263</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen:Status Conference as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk held on 11/30/2016. Counsel only. Discussion held. Scheduling Order to follow. (FTR Gold Operator initials: ARL) (FTR Gold: Yes) (proceedings started: 10:30 a.m.) (proceedings ended: 10:41 a.m.) (ARL) (Entered: 11/30/2016)
12/01/2016	<u>264</u>	SCHEDULING ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr

		Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. See Order for deadlines. Signed by Magistrate Judge John M. Bodenhausen on 12/1/16. (CAR) (Entered: 12/01/2016)
12/29/2016	<u>268</u>	DISCLOSURE of Arguably Suppressible Evidence as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk (Tihen, Kenneth) (Entered: 12/29/2016)
01/20/2017	<u>282</u>	MOTION for Extension of Time to File by Yakov Pisman. (Cohen, Peter) (Entered: 01/20/2017)
01/24/2017	<u>285</u>	ORDER: IT IS HEREBY ORDERED that Defendants' motions for extension of timewithin which to file motions with respect to the sufficiency of the indictment, including any motions to dismiss are GRANTED (ECF Nos. 275 , 276 , 278 , 279 , 280 , 281 , <u>282</u> , 283 , 284). Criminal Pretrial Motions due by 2/21/2017; responses due by 3/6/2017. IT IS FURTHER ORDERED that, all other dates and requirements set forth inthe Courts December 1, 2016 Scheduling Order (ECF No. <u>264</u>) remain in effect. Signed by Magistrate Judge John M. Bodenhausen on 1/24/17. (CAR) (Entered: 01/24/2017)
02/23/2017	<u>311</u>	WAIVER of Filing Pretrial Motions by Yakov Pisman (Cohen, Peter) (Entered: 02/23/2017)
03/06/2017	318	Docket Text ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk. This matter is before the Court on the Government's motion for extension of time to file its response to Defendant's motions to dismiss. 317 The Government's motion is granted. The response to defendants motions to dismiss is due no later than March 13, 2017. So Ordered. John M. Bodenhausen, United States Magistrate Judge. March 6, 2017. (CEC) (Entered: 03/06/2017)
03/10/2017	<u>319</u>	RESPONSE in Opposition by USA as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk re 199 MOTION to Dismiss Indictment/Counts <i>Nine and Eleven</i> , 277 MOTION to Dismiss Indictment/Counts , 292 MOTION to Dismiss Indictment/Counts <i>Six, Nine and Eleven</i> (Finneran, Richard) (Entered: 03/10/2017)
03/23/2017	<u>321</u>	ORDER REGARDING ORAL ARGUMENT ON MOTIONS TO DISMISS as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk : Pursuant to prior scheduling orders, the Court set a February 21, 2017, deadline for filing motions directed to the sufficiency or legality of the Indictment. (ECF Nos. 264, 285) Defendant's Oleg Deych (Deft. No. 4), Volodymyr Zyuz (Deft. No. 6), and Inessa Vatman (Deft. No. 12) filed motions to dismiss one or more counts of the indictment. (Collectively "Motions to Dismiss"; ECF Nos. 199, 277, 292) All other parties have either waived all pretrial motions or their rights to file motions directed at the indictment. (See Requirements as outlined in ECF Nos. 264,

		285) On March 10, 2017, the government filed a single response in opposition the Motions to Dismiss. (ECF No. 319) After giving all parties time to consider the relevant pleadings, no party has requested oral argument or an evidentiary hearing on the three pending Motions to Dismiss. Therefore, the Court will not schedule any hearings regarding the Motions to Dismiss and those matters are now under submission. Signed by Magistrate Judge John M. Bodenhausen on 3/23/17. (ARL) (Entered: 03/23/2017)
04/20/2017	<u>326</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen:Status Conference with Counsel Only as to Yakov Pisman, Oleksandr Zyuz, Oleg Deych, Volodymyr Zyuz, Vyacheslav Gershanovich, Inessa Vatman held on 4/20/2017. Order to follow. (FTR Gold Operator initials:C. Ritter) (FTR Gold: Yes) (proceedings started: 2:05 pm) (proceedings ended: 2:30 pm) (CAR) (Entered: 04/20/2017)
04/24/2017	<u>327</u>	SCHEDULING ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Oleg Godko, Vyacheslav Gershanovich, Inessa Vatman, Roman Karapchuk: IT IS HEREBY ORDERED that Defendants' oral motion for extension of time within which to file motions directed to wiretap matters is GRANTED. IT IS FURTHER ORDERED that a Status and Scheduling Conference will be held on Monday July 17, 2017, at 9:30 a.m. in Courtroom 15 South. Any Defendant who has not yet waived motions is required to attend in person with their respective counsel. IT IS FURTHER ORDERED that Defendants shall have until July 31, 2017, to file any motions challenging the wiretap evidence. The Government shall have until August 14, 2017,to respond. Hearing dates will be set upon completion of the briefing schedule.IT IS FURTHER ORDERED that no extension time of any deadline set in this orderwill be granted except upon written motion, made before the expiration of the deadline, and upon good cause shown. Failure to timely file motions or requests, or to request an extension of time to do so, may be considered a waiver of the right of a party to make such motions or requests, as set out in Fed. R. Crim. P. 12(c)(3). IT IS FURTHER ORDERED that, any motion to suppress shall set forth, with particularity, the item(s) of evidence to which the motion is addressed, and shall set forth specific factual details to support any claim that such evidence was unlawfully obtained. Any motion to suppress not containing such specific information or any motion cast in conclusory orconjectural terms will not be heard or considered by the Court. Each motion to suppress must also include a memorandum of law setting forth the specific legal ground upon which it is contended that any such item of evidenced was unlawfully obtained, with citations to authority. IT IS FURTHER ORDERED that, all other dates and requirements set forth in the Court's December 1, 2016, and January 24, 2017 Scheduling Orders (ECF Nos. 264, 285) remain in effect. IT IS FURTHER ORDERED that the deadlines for filing all other pretrial motions, including motions to suppress evidence, motions to suppress statements, and severance motions will be set after the July 17, 2017, scheduling conference. The trial of this matter will be set following the conclusion of pretrial proceedings. Signed by Magistrate Judge John M. Bodenhausen on 4/24/17. (ARL) (Entered: 04/24/2017)
04/24/2017	<u>328</u>	MOTION for Leave to File Sealed Document by Yakov Pisman. (Cohen, Peter) (Entered: 04/24/2017)
04/25/2017	330	Docket Text ORDER as to Yakov Pisman. This matter is before the Court on Defendant Yakov Pisman's motion to file document under seal. [ECF No. 328]

		Defendant's motion is GRANTED. So Ordered. John M. Bodenhausen, United States Magistrate Judge. April 25, 2017. (CEC) (Entered: 04/25/2017)
07/17/2017	<u>370</u>	Minute Entry for proceedings held before Magistrate Judge John M. Bodenhausen: Status Conference as to Yakov Pisman, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Oleg Godko, Vyacheslav Gershanovich, Inessa Vatman, Roman Karapchuk held on 7/17/2017. Discussion held between Court and counsel. (TIP Interpreter name: Yelena Shukhina)(FTR Gold Operator initials: LGW) (FTR Gold: Yes) (proceedings started: 9:00 a.m.) (proceedings ended: 10:21 a.m.) (Defendant Location: Karapchuk custody; all others on bond) (LGK) (Entered: 07/17/2017)
07/17/2017	<u>371</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Oleg Godko, Vyacheslav Gershanovich, Inessa Vatman, Roman Karapchuk Interpreter: Yelena Shukhina proceedings started: 9:00 a.m. proceedings ended: 10:21 a.m. (LGK) (Entered: 07/17/2017)
07/18/2017	<u>374</u>	SCHEDULING ORDER as to Yakov Pisman, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Oleg Godko, Vyacheslav Gershanovich, Inessa Vatman. IT IS HEREBY ORDERED that Defendants' oral motion for extension of time within which to file motions directed to wiretap matters is GRANTED. IT IS FURTHER ORDERED that Defendants shall have until August 31, 2017, to file any motions challenging the wiretap evidence. The Government shall have until September 14, 2017, to respond. Hearing dates will be set upon completion of the briefing schedule. See Order for specifics. Signed by Magistrate Judge John M. Bodenhausen on 7/18/17. (CAR) (Entered: 07/18/2017)
08/30/2017	<u>399</u>	WAIVER by Yakov Pisman of Pretrial Motion Pertaining to any Title III or Electronic Surveillance (Cohen, Peter) (Entered: 08/30/2017)
08/31/2017		REMARK as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhailo Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk: There will be no Document #398 as this document was docketed in the wrong case. It has been replaced by Document #399. (LGK) (Entered: 08/31/2017)
11/01/2017	<u>456</u>	ENTRY OF ATTORNEY APPEARANCE Kyle Timothy Bateman appearing for USA. (Bateman, Kyle) (Entered: 11/01/2017)
11/09/2017	<u>467</u>	SCHEDULING ORDER – REMAINING PRETRIAL MOTIONS as to Yakov Pisman, Oleg Deych, Volodymyr Zyuz, Vyacheslav Gershanovich & Inessa Vatman. IT IS ORDERED that, not later than December 18, 2017, Defendants may file any remaining motions, including motions to suppress evidence and statements; the government shall respond to any such motions not later than January 12, 2018. Evidentiary hearings, if required, will be set upon the completion of this briefing schedule. See Order for further information. Signed by Magistrate Judge John M. Bodenhausen on 11/9/2017. (CAR) (Main Document 467 replaced on 11/13/2017) (LGK). (Entered: 11/09/2017)
12/12/2017	<u>488</u>	Sealed Order as to Yakov Pisman Signed by Magistrate Judge John M. Bodenhausen on 12/12/17. (Copy of order provided to Pisman's counsel) (LGK) (Entered: 12/12/2017)

12/15/2017	490	DOCUMENT DELETED — MOTION for Extension of Time to File <i>Pretrial Motions</i> by Yakov Pisman. (Cohen, Peter) The wrong document was attached (the case number and defendant name were not from this case). Document was correctly filed at Doc. 491. (CAR). (Entered: 12/15/2017)
12/18/2017	<u>491</u>	MOTION for Extension of Time to File <i>Pretrial Motions</i> by Yakov Pisman. (Cohen, Peter) (Entered: 12/18/2017)
12/18/2017	<u>500</u>	ORDER: IT IS HEREBY ORDERED that Defendant's motion for extension of time within which to file motions and for continuance of the pretrial motion hearing is GRANTED <u>491</u> . IT IS FURTHER ORDERED that Defendant shall have until January 17, 2018, to file any pretrial motions or waiver of motions. The Government shall have until January 24, 2018, to respond. IT IS FINALLY ORDERED that the Evidentiary/Waiver Hearing will be set upon further order of the Court. Signed by Magistrate Judge John M. Bodenhausen on 12/18/2017. (CAR) (Entered: 12/18/2017)
01/16/2018	<u>513</u>	WAIVER of Filing Pretrial Motions by Yakov Pisman (Cohen, Peter) (Entered: 01/16/2018)
01/18/2018	<u>514</u>	ORDER as to Yakov Pisman...IT IS HEREBY ORDERED that there will be a change of plea hearing in this matter on Thursday, February 22, 2018 at 10:30 a.m. in Courtroom 10–South, before the Honorable Ronnie L. White. (Change of Plea Hearing set for 2/22/2018 10:30 AM in Courtroom 10S before District Judge Ronnie L. White.) Signed by District Judge Ronnie L. White on 1/18/2018. (NEP) (Entered: 01/18/2018)
01/22/2018	<u>518</u>	MOTION for Leave to File Sealed Document by Yakov Pisman. (Cohen, Peter) (Entered: 01/22/2018)
01/23/2018	522	Docket Text ORDER as to Yakov Pisman. This matter is before the Court on the Defendant's motion for file document under seal. [ECF No. 518] Defendant's motion is GRANTED. So Ordered. John M. Bodenhausen, United States Magistrate Judge. January 23, 2018. (CEC) (Entered: 01/23/2018)
01/23/2018	523	Docket Text ORDER as to Yakov Pisman. On the Court's own motion a waiver hearing is set in the instant matter for February 22, 2018, at 9:30 a.m. in Courtroom 15–South before the undersigned. Defendant and counsel for both parties are directed to appear. So Ordered. John M. Bodenhausen, United States Magistrate Judge. January 23, 2018. (CEC) (Entered: 01/23/2018)
01/26/2018	<u>536</u>	ORDER Setting Forth Trial Procedures in Criminal Cases as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Vyacheslav Gershanovich, Roman Karapchuk... Jury Trial set for 3/5/2018 09:00 AM in Courtroom 10S before District Judge Ronnie L. White. [SEE ORDER FOR COMPLETE DETAILS.] Signed by District Judge Ronnie L. White on 1/26/2018. (NEP) (Entered: 01/26/2018)
02/01/2018	<u>545</u>	MOTION for Hearing <i>Pretrial Hearing pursuant to Missouri v. Frye</i> by USA as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr Arbitman, Vyacheslav Gershanovich, Roman Karapchuk. (Tihen, Kenneth) (Entered: 02/01/2018)
02/08/2018	558	Docket Text ORDER as to Yakov Pisman, Oleksandr Zyuz, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhalo Zyuz, Aleksandr

		Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, Max Tkach, Roman Karapchuk: IT IS HEREBY ORDERED that the Order setting this matter for a Frye hearing [ECF No. 548] is VACATED and the Frye hearing set for Friday, February 9, 2018 at 1:30 p.m. is CANCELED. IT IS FURTHER ORDERED that the Government's Motion for a Pretrial Hearing Pursuant to Missouri v. Frye [ECF No. 545] is DENIED as MOOT. Signed by District Judge Ronnie L. White on 2/8/18. (ALM) (Entered: 02/08/2018)
02/22/2018	<u>597</u>	SUPERSEDING INFORMATION as to Yakov Pisman (1) count(s) 1s, 2s. (Attachments: # <u>1</u> Criminal Cover Sheet) (DLB) WARRANT ISSUED (Entered: 02/22/2018)
02/22/2018	<u>598</u>	WAIVER OF INDICTMENT by Yakov Pisman (DLB) (Entered: 02/22/2018)
02/22/2018	<u>606</u>	Sealed Order as to Yakov Pisman Signed by Magistrate Judge John M. Bodenhausen on 2/22/2018. (CLO)(cc: USMS and Counsel of Record) (Entered: 02/22/2018)
02/22/2018	<u>607</u>	Minute Entry for proceedings held before District Judge Ronnie L. White:Defendant present for waiver of pretrial motions. Defendant waives filing motions and waives evidentiary hearing. Change of Plea Hearing as to Yakov Pisman held on 2/22/2018 as to count(s) one and two. Objections to Presentence Report due by 5/2/2018. Sentencing set for 5/24/2018 01:30 PM in Courtroom 10S before District Judge Ronnie L. White. (TIP Interpreter name: Ilya Ruvinskiy)(Court Reporter:Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449) (FTR Gold: No) (proceedings started: 11:05 a.m.) (proceedings ended: 12:20 p.m.) (Defendant Location: bond) (KXS) Non-Party Transcript request for this proceeding provided to Court Reporter: D. Kriegshauser on 11/16/2018 (BABS). (Entered: 02/22/2018)
02/22/2018	<u>608</u>	GUILTY PLEA AGREEMENT by USA, Yakov Pisman (KXS) (Entered: 02/22/2018)
02/22/2018	<u>609</u>	GUILTY PLEA AGREEMENT SUPPLEMENT as to Yakov Pisman (KXS) (Entered: 02/22/2018)
02/22/2018	<u>610</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman Interpreter: Ilya Ruvinskiy proceedings started: 11:05 a.m. proceedings ended: 12:20 p.m. (KXS) (Entered: 02/22/2018)
02/22/2018	<u>618</u>	ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that the sentencing as to defendant is set for Thursday, May 24, 2018 at 1:30 p.m. IT IS FURTHER ORDERED that the deadline for filing objections, if any, to the Presentence Report is May 2, 2018. IT IS FURTHER ORDERED that no objections shall be filed after the deadline without leave of the Court. A request for leave to file objections out of time must be in writing and supported by reasons for the request. IT IS FURTHER ORDERED that the parties shall inform the Court, in writing, and not less than ten (10) days prior to the sentencing date, whether testimony is to be presented at sentencing and, if so, the anticipated number of witnesses and the estimated length of such testimony. IT IS FINALLY ORDERED that the parties must file any memoranda no later than seven (7) days before sentencing date except that a response to a sentencing memorandum may be filed no later than five (5) days before the sentencing date. Signed by District Judge Ronnie L. White on February 22, 2018. (BRP) (Entered: 02/22/2018)

04/25/2018	<u>676</u>	Sealed Document as to Yakov Pisman (Cohen, Peter) Modified on 4/26/2018 (NEP). (Entered: 04/25/2018)
04/27/2018	<u>681</u>	Sealed Order as to Yakov Pisman Signed by District Judge Ronnie L. White on 4/27/2018. (NEP) (cc: P. Cohen) (Entered: 04/27/2018)
04/27/2018	<u>682</u>	ACCEPTANCE TO PRESENTENCE INVESTIGATION REPORT by USA as to Yakov Pisman (Tihen, Kenneth) (Entered: 04/27/2018)
05/11/2018	<u>731</u>	MOTION to Continue <i>Sentencing</i> ; Sentencing by Yakov Pisman. (Cohen, Peter) (Entered: 05/11/2018)
05/14/2018	<u>743</u>	PRELIMINARY MOTION for Forfeiture of Property by USA as to Yakov Pisman. (Attachments: # <u>1</u> Text of Proposed Order)(Bateman, Kyle) (Entered: 05/14/2018)
05/14/2018	<u>748</u>	ORDER as to Yakov Pisman...IT IS HEREBY ORDERED that Defendant's Motion To Continue Sentencing [ECF# <u>731</u>] is, granted, in part. The sentencing hearing as to Defendant Yakov Pisman is continued to Tuesday, June 25, 2018 at 1:30 p.m., in Courtroom 10–South. (Sentencing set for 6/25/2018 01:30 PM in Courtroom 10S before District Judge Ronnie L. White.) Signed by District Judge Ronnie L. White on 5/14/2018. (NEP) (Entered: 05/14/2018)
05/14/2018	<u>752</u>	PRELIMINARY ORDER OF FORFEITURE as to Yakov Pisman....[SEE ORDER FOR COMPLETE DETAILS.] Signed by District Judge Ronnie L. White on 5/14/2018. (cc: USMS) (NEP) (Entered: 05/14/2018)
06/08/2018	<u>835</u>	MOTION for Leave to File Sealed Motion by Yakov Pisman. (Cohen, Peter) (Entered: 06/08/2018)
06/08/2018	<u>836</u>	Sealed Motion (Attachments: # <u>1</u> Exhibit Medical Records)(Cohen, Peter) Modified on 6/11/2018 (BRP). (Entered: 06/08/2018)
06/11/2018	837	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Defendant's Motion to File Document Under Seal [ECF No. 835] is GRANTED. Signed by District Judge Ronnie L. White on 6/11/18. (ALM) (Entered: 06/11/2018)
06/13/2018	838	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Defendant's Second Motion to Continue Sentencing [ECF No. 836] is DENIED. Signed by District Judge Ronnie L. White on 6/13/18. (ALM) (Entered: 06/13/2018)
06/13/2018	840	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that the Order of May 14, 2018 [ECF No. 748] is corrected nunc pro tunc to read, "The sentencing hearing as to Defendant Yakov Pisman is continued to Monday, June 25, 2018...." Signed by District Judge Ronnie L. White on 6/13/18. (ALM) (Entered: 06/13/2018)
06/14/2018	<u>843</u>	MOTION for Leave to File Sealed Document by Yakov Pisman. (Cohen, Peter) (Entered: 06/14/2018)
06/14/2018	<u>844</u>	SENTENCING MEMORANDUM – SEALED by defendant Yakov Pisman (Attachments: # <u>1</u> Exhibit Letters in Support)(Cohen, Peter) (Entered: 06/14/2018)
06/15/2018	845	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Defendant's Motion to File Document Under Seal [ECF No. 843] is GRANTED. Signed by District Judge Ronnie L. White on 6/15/18. (ALM) (Entered: 06/15/2018)
06/15/2018	<u>846</u>	

		MOTION for Leave to File Sealed Motion by Yakov Pisman. (Cohen, Peter) (Entered: 06/15/2018)
06/15/2018	<u>847</u>	SEALED MOTION by Yakov Pisman. (Attachments: # <u>1</u> Letter Letter)(Cohen, Peter) (Entered: 06/15/2018)
06/18/2018	848	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Defendant's Motion to File Document Under Seal [ECF No. 846] is GRANTED. Signed by District Judge Ronnie L. White on 6/18/18. (ALM) (Entered: 06/18/2018)
06/18/2018	849	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Defendant's Motion to Reconsider [ECF No. 847] is DENIED. Signed by District Judge Ronnie L. White on 6/18/18. (ALM) (Entered: 06/18/2018)
06/18/2018	<u>850</u>	FINAL PRESENTENCE INVESTIGATION REPORT (including addendum) as to Yakov Pisman (Attachments: # <u>1</u> Letter)(GZT) (Entered: 06/18/2018)
06/18/2018	<u>858</u>	ACCEPTANCE TO PRESENTENCE INVESTIGATION REPORT by Yakov Pisman (Cohen, Peter) (Entered: 06/18/2018)
06/22/2018	<u>862</u>	OFFICER REVISED FINAL PRESENTENCE INVESTIGATION REPORT (including addendum) as to Yakov Pisman (MDH) (Entered: 06/22/2018)
06/22/2018	<u>864</u>	SENTENCING DOCUMENT by USA as to Yakov Pisman (Tihen, Kenneth) (Entered: 06/22/2018)
06/25/2018	<u>866</u>	Minute Entry for proceedings held before District Judge Ronnie L. White: Sentencing as to Yakov Pisman held on 6/25/2018. Defendant/Parties present for imposition of sentence. Presentence Report adopted/accepted by Court as findings of fact. No Objections to Presentence report filed by either party. Sentence imposed (see judgment). Defendant granted a voluntary surrender to the institution/USMS for incarceration as notified by USMS. (TIP Interpreter name: Greta Sedonova)(Court Reporter:Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449) (FTR Gold: No) (proceedings started: 1:36pm) (proceedings ended: 2:11pm) (Defendant Location: BOND) (KCB) (Entered: 06/25/2018)
06/25/2018	<u>867</u>	INTERPRETER USAGE REPORT as to defendant Yakov Pisman Interpreter: Greta Sedonova proceedings started: 1:36pm proceedings ended: 2:11pm. (KCB) (Entered: 06/25/2018)
06/25/2018	<u>868</u>	JUDGMENT as to Yakov Pisman (1), Count(s) 1s, The defendant pleaded guilty to count(s) one and two of the superseding information on February 22, 2018. The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of 87 months. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. he defendant shall pay to the United States a special assessment of \$100 on each of counts land 2, for a total of \$200 and restitution of \$53,600,000.00.; Count(s) 2s, The defendant pleaded guilty to count(s) one and two of the superseding information on February 22, 2018. The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of 87 months. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. he defendant shall pay to the United States a special assessment of \$100 on each of counts land 2, for a total of \$200 and restitution of \$53,600,000.00. Signed by District Judge Ronnie L. White on 06/25/2018. (KCB) (Entered: 06/25/2018)

06/25/2018	<u>869</u>	STATEMENT OF REASONS for Sentence as to defendant Yakov Pisman. Signed by District Judge Ronnie L. White on 06/25/2018. (KCB) (Entered: 06/25/2018)
06/25/2018	<u>870</u>	NOTICE of Certification of Compliance with Local Rule 12.07 by Yakov Pisman. (KCB) (Entered: 06/25/2018)
06/25/2018		Receipt CT 4644073013 in the amount of \$100.00 for SPECIAL PENALTY ASSESSMENT on behalf of Pisman, Yakov (CCAM) (Entered: 06/27/2018)
07/09/2018	<u>874</u>	BOP Designation as to Yakov Pisman. Defendant designated to CI Moshannon Valley. (KXS) (Entered: 07/09/2018)
07/19/2018	<u>875</u>	BOP Designation as to Yakov Pisman. Defendant designated to Allenwood FCC. (KCB) (Entered: 07/20/2018)
09/10/2018		Receipt CT B001303 in the amount of \$25.00 for SPECIAL PENALTY ASSESSMENT on behalf of Pisman, Yakov (CCAM) (Entered: 10/14/2018)
10/30/2018	<u>883</u>	FINAL MOTION for Forfeiture of Property by USA as to Yakov Pisman. (Attachments: # <u>1</u> Text of Proposed Order)(Bateman, Kyle) (Entered: 10/30/2018)
10/31/2018	<u>893</u>	FINAL ORDER OF FORFEITURE as to Yakov Pisman. [SEE ORDER FOR COMPLETE DETAILS.] Signed by District Judge Ronnie L. White on 10/31/2018. (Copy of Order mailed to all counsel and hand delivered to USMS.) (AFC) (Entered: 10/31/2018)
11/02/2018	<u>899</u>	TRANSCRIPT of <u>866</u> (SENTENCING) as to Yakov Pisman held on June 25, 2018 before Judge RONNIE L. WHITE. Court Reporter: Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/23/2018. Redacted Transcript Deadline set for 12/3/2018. Release of Transcript Restriction set for 1/31/2019. (BRP) (Entered: 11/02/2018)
11/02/2018	<u>900</u>	TRANSCRIPT of <u>866</u> (SENTENCING – LOCAL RULE 13.05 SEALED BENCH CONFERENCE) (FILED UNDER SEAL) as to Yakov Pisman held on June 25, 2018 before Judge RONNIE L. WHITE. Court Reporter/Transcriber Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449. (BRP) (Entered: 11/02/2018)
11/29/2018	<u>904</u>	TRANSCRIPT of <u>607</u> (PLEA) as to Yakov Pisman held on February 22, 2018 before Judge Ronnie L. White. Court Reporter: Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449. (KCB) (Entered: 11/29/2018)
11/29/2018	<u>905</u>	TRANSCRIPT of <u>607</u> (PLEA – LOCAL RULE 13.05 SEALED BENCH CONFERENCE) (FILED UNDER SEAL) as to Yakov Pisman held on February 22, 2018 before Judge Ronnie L. White. Court Reporter/Transcriber Debbie Kriegshauser, Deborah_Kriegshauser@moed.uscourts.gov, 314-244-7449. (KCB) (Entered: 11/29/2018)
12/10/2018		Receipt CT B001303 in the amount of \$25.00 for SPECIAL PENALTY ASSESSMENT on behalf of Pisman, Yakov (CCAM) (Entered: 01/13/2019)
02/25/2019	<u>916</u>	

		MOTION to Vacate under 28 U.S.C. 2255 by Yakov Pisman. (DLB) Civil case 4:19-cv-00307-RLW opened. (Entered: 02/25/2019)
02/25/2019		REMARK as to Yakov Pisman: MOTION to Vacate under 28 U.S.C. 2255 by Yakov Pisman filed in Civil case 4:19-cv-00307-RLW. (DLB) (Entered: 02/25/2019)
03/11/2019		Receipt CT B001342 in the amount of \$50.00 for SPECIAL PENALTY ASSESSMENT on behalf of Pisman, Yakov (CCAM) (Entered: 04/07/2019)
03/11/2019		Receipt CT B001342 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 04/07/2019)
03/11/2019		Receipt CT B001342 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 04/07/2019)
04/09/2019		Receipt CT B00147 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 05/12/2019)
04/09/2019		Receipt CT B00148 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 05/12/2019)
04/09/2019		Receipt CT B00147 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 05/12/2019)
04/09/2019		Receipt CT B00148 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 05/12/2019)
05/03/2019		Receipt CT B00151 in the amount of \$36.78 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 06/16/2019)
05/03/2019		Receipt CT B00151 in the amount of \$63.22 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 06/16/2019)
06/10/2019		Receipt CT B001357 in the amount of \$36.78 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 07/14/2019)
06/10/2019		Receipt CT B001357 in the amount of \$63.22 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 07/14/2019)
07/03/2019		Receipt CT B00143 in the amount of \$36.78 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 08/11/2019)
07/03/2019		Receipt CT B00143 in the amount of \$63.22 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 08/11/2019)
09/09/2019		Receipt CT B001361 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 10/18/2019)
09/09/2019		Receipt CT B001361 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 10/18/2019)
12/09/2019		Receipt CTC 6001344 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 01/22/2020)
12/09/2019		Receipt CTC 6001344 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 01/22/2020)

02/26/2020		Receipt CTC 601272 in the amount of \$3770.92 for VICTIM J&S RESTITUTION on behalf of Vatman, Inessa (CCAM) (Entered: 03/20/2020)
03/09/2020		Receipt CTC 6001411 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 04/12/2020)
03/09/2020		Receipt CTC 6001411 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 04/12/2020)
06/08/2020		Receipt CTC 6001423 in the amount of \$18.39 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 07/12/2020)
06/08/2020		Receipt CTC 6001423 in the amount of \$31.61 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 07/12/2020)
09/08/2020		Receipt CTC 6001110 in the amount of \$9.20 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 10/25/2020)
09/08/2020		Receipt CTC 6001110 in the amount of \$15.80 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 10/25/2020)
11/18/2020	<u>1006</u>	AMENDED JUDGMENT as to Yakov Pisman : The defendant pleaded guilty to count(s) one and two of the superseding information on February 22, 2018. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 60 month(s) as to count 1; 27 month(s) as to count 2 to run consecutive. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. The defendant shall pay to the United States a special assessment of \$100 on each of counts 1 and 2, for a total of \$200 and restitution of \$53,600,000.00. Signed by District Judge Ronnie L. White on 11/18/2020. (KCD) (Main Document 1006 replaced on 11/19/2020) (TMT). (Entered: 11/18/2020)
11/18/2020	<u>1007</u>	REASON FOR AMENDED JUDGMENT for Sentence as to defendant Yakov Pisman Signed by District Judge Ronnie L. White on 11/18/2020. (KCD) (Main Document 1007 replaced on 11/19/2020) (TMT). (Entered: 11/18/2020)
12/07/2020		Receipt CTC 6001346 in the amount of \$9.20 for VICTIM J&S RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 01/17/2021)
12/07/2020		Receipt CTC 6001346 in the amount of \$15.80 for VICTIM RESTITUTION on behalf of Pisman, Yakov (CCAM) (Entered: 01/17/2021)
02/03/2021	<u>1031</u>	MOTION to Appoint Counsel & MOTION for Compassionate Release by Yakov Pisman. (TMT) Modified on 2/4/2021 (KCD). (Entered: 02/03/2021)
02/11/2021	<u>1032</u>	ENTRY OF ATTORNEY APPEARANCE: by Beverly Ann Beimdiek on behalf of Yakov Pisman (Beimdiek, Beverly) (Entered: 02/11/2021)
02/23/2021	<u>1037</u>	MOTION to Withdraw as Attorney by Bevy Beimdiek. by Yakov Pisman. (Beimdiek, Beverly) (Entered: 02/23/2021)
02/26/2021		Attorney update in case as to Yakov Pisman. Attorney Luke A. Baumstark for Yakov Pisman added. Attorney Beverly Ann Beimdiek terminated. (TMT) (Entered: 02/26/2021)
02/26/2021	<u>1038</u>	CJA 20 as to Yakov Pisman. Appointment of Attorney Luke A. Baumstark Signed by District Judge Ronnie L. White on 2/26/2021. (TMT) (Entered: 02/26/2021)

04/30/2021	<u>1044</u>	ENTRY OF ATTORNEY APPEARANCE: by Luke A. Baumstark on behalf of Yakov Pisman (Baumstark, Luke) (Entered: 04/30/2021)
04/30/2021	<u>1045</u>	NOTICE by Yakov Pisman of: Intent to Not File Supplemental Pleading (Baumstark, Luke) (Entered: 04/30/2021)
05/04/2021	<u>1046</u>	ORDER ON MOTION FOR SENTENCE REDUCTION UNDER 18 U.S.C. § 3582(c)(1)(A) as to Yakov Pisman: IT IS ORDERED that the motion is DENIED WITHOUT PREJUDICE because there is no evidence Defendant has exhausted administrative remedies as required in 18 U.S.C. § 3582(c)(1)(A). Defendant has not shown that he presented an administrative request to the warden at Allenwood Low FCI. Signed by District Judge Ronnie L. White on 5/4/2021. (TMT) (Entered: 05/04/2021)
05/20/2021	<u>1047</u>	MOTION to Appoint Counsel by Yakov Pisman. (Attachments: # <u>1</u> Attachment Correspondence 1, # <u>2</u> Attachment Correspondence 2, # <u>3</u> Envelope 1) (cc: Defense counsel)(TMT) (Entered: 05/20/2021)
05/26/2021	<u>1048</u>	ORDER as to Yakov Pisman : IT IS HEREBY ORDERED that Defendant Yakov Pisman's motion for appointment of counsel is DENIED. (ECF No. <u>1047</u>). (cc: Y. Pisman) Signed by District Judge Ronnie L. White on 05/26/2021. (KCD) (Entered: 05/26/2021)
06/14/2021	<u>1049</u>	REQUEST by Yakov Pisman (Order # <u>1048</u> mailed to Yakov Pisman at LSCI Allenwood Low) (BRP) (Entered: 06/14/2021)
06/15/2021	<u>1050</u>	ORDER as to Yakov Pisman : IT IS HEREBY ORDERED that the Clerk of Court shall mail to Defendant a complete copy of the Courts Order dated May 26, 2021, (ECF No. <u>1048</u>). (A copy of this Order & Order <u>1048</u> mailed to Y. Pisman on this day.) Signed by District Judge Ronnie L. White on 6/15/2021. (KCD) (Entered: 06/15/2021)
05/06/2022	<u>1062</u>	MOTION for Relief re: First Step Act by Yakov Pisman as to Yakov Pisman. (Attachments: # <u>1</u> BOP Records)(BRP) (Entered: 05/09/2022)
05/10/2022	<u>1063</u>	MOTION to Withdraw as Attorney by Beverly A. Beimdiek. by Yakov Pisman. (Attachments: # <u>1</u> Attachment Compassionate Release CJA Panel Attorneys)(Beimdiek, Beverly) (Entered: 05/10/2022)
05/11/2022	1064	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that Bevy A. Beimdiek's Motion to Withdraw as Counsel (ECF No. 1063) is GRANTED. Order appointing new counsel to issue. Signed by District Judge Ronnie L. White on 5/11/22. (JEB) (Entered: 05/11/2022)
05/11/2022		Attorney update in case as to Yakov Pisman. Attorney Andrew J. Sottile for Yakov Pisman added. (TMT) (Entered: 05/11/2022)
05/11/2022	<u>1065</u>	CJA 20 as to Yakov Pisman. Appointment of Attorney Andrew J. Sottile Signed by District Judge Ronnie L. White on 5/11/2022. (TMT) (Entered: 05/11/2022)
06/15/2022	<u>1066</u>	MOTION for Leave to File by Yakov Pisman. (Attachments: # <u>1</u> Motion for Additional Time to Amend Pro Se Request for Compassionate Release)(Sottile, Andrew) Modified on 6/17/2022 (BRP). (Entered: 06/15/2022)
06/15/2022	1067	Docket Text ORDER as to Yakov Pisman re: ECF No. <u>1066</u> , MOTION for Leave to File, filed by Yakov Pisman; the Court construes this filing as a Motion for

		Extension of Time to file a supplement or notice of no supplement to Defendant's pro se motion for compassionate release; and the same is ORDERED GRANTED. Defendant's appointed counsel shall file a Supplement or Notice of no supplement to the pro se motion by July 6, 2022. Signed by District Judge Ronnie L. White on June 15, 2022. (SMH) (Entered: 06/15/2022)
07/06/2022	<u>1068</u>	MOTION FOR ADDITIONAL TIME TO AMEND PRO SE REQUEST FOR COMPASSIONATE RELEASE by Yakov Pisman. (Sottile, Andrew) Modified on 7/7/2022 (KCD). (Entered: 07/06/2022)
07/07/2022	1069	Docket Text ORDER as to Yakov Pisman Re: ECF No. <u>1068</u> , Second Motion for Extension of Time to file a supplement or notice of no supplement to Defendant's pro se motion for compassionate release; ORDERED GRANTED. Defendant's appointed counsel shall file a Supplement or Notice of no supplement to the pro se motion by August 5, 2022. No additional extensions will be granted. Signed by District Judge Ronnie L. White on July 7, 2022. (LTR) (Entered: 07/07/2022)
08/04/2022	<u>1070</u>	REQUEST for Status Update by Yakov Pisman. (Copy of docket sheet mailed to Defendant this date.) (TMT) (Entered: 08/04/2022)
08/05/2022	<u>1071</u>	NOTICE by Yakov Pisman of: Intent Not to File a Supplemental Motion (Sottile, Andrew) (Entered: 08/05/2022)
09/06/2022	1072	Docket Text ORDER as to Yakov Pisman: IT IS HEREBY ORDERED that on or before October 6, 2022, the United States shall file a response to Defendant Yakov Pisman's pro se Motion for Compassionate Release/Reduction in Sentence, ECF No. <u>1062</u> . Signed by District Judge Ronnie L. White on September 6, 2022. (LTR) (Entered: 09/06/2022)
10/04/2022	<u>1074</u>	Report: Relief re: First Step Act as to Yakov Pisman (DDP) (Entered: 10/04/2022)
10/06/2022	<u>1075</u>	MOTION for Extension of Time to File Response/Reply as to <u>1062</u> MOTION for Relief re: First Step Act by USA as to Yakov Pisman. (Tihen, Kenneth) (Entered: 10/06/2022)
10/26/2022	<u>1076</u>	RESPONSE to Motion by USA as to Yakov Pisman re <u>1062</u> MOTION for Relief re: First Step Act (Tihen, Kenneth) (Entered: 10/26/2022)
12/01/2022	<u>1077</u>	Letter from Yakov Pisman re: Case status. (A copy of the docket sheet has been mailed to Y. Pisman.) (Attachments: # <u>1</u> Attachment, # <u>2</u> Envelope) (KCD) (Entered: 12/01/2022)
12/08/2022	1078	Docket Text Order Re: ECF No. <u>1075</u> , MOTION for Extension of Time to File Response to Defendant Yakov Pisman's Motion for Relief under First Step Act, filed by USA; ORDERED GRANTED. The Court notes that the government filed its response prior to obtaining leave to do so. Therefore, IT IS FURTHER ORDERED that Defendant Yakov Pisman shall have twenty-one (21) days from today's date to file a reply, if any. (LTR) (Entered: 12/08/2022)
12/19/2022	<u>1079</u>	Letter from defendant Yakov Pisman re: request for copy of doc #1076. (JAB) Remark: Copy of doc #1076 mailed to defendant on 12/19/22. (Entered: 12/19/2022)
01/17/2023	<u>1080</u>	REPLY TO RESPONSE to Motion by Yakov Pisman re <u>1062</u> MOTION for Relief re: First Step Act. (KXS) (Entered: 01/17/2023)

05/23/2023	<u>1081</u>	ORDER ON MOTION FOR SENTENCE REDUCTION UNDER 18 U.S.C. § 3582(c)(1)(A) as to Yakov Pisman: IT IS ORDERED that the motion is DENIED after complete review of the motion on the merits. [SEE ORDER FOR COMPLETE DETAILS] Signed by District Judge Ronnie L. White on 5/23/2023. (TMT) (Entered: 05/23/2023)
05/24/2024	<u>1082</u>	Supervised Release Jurisdiction Transferred to United States District Court for the Eastern District of New York as to Yakov Pisman. (TMT) (Entered: 05/24/2024)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

FEB 22 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

V.

**YAKOV PISMAN,
a/k/a "Yasha," a/k/a Yacov Pisman**

Defendant.

No. S1-4:16 CR 66 RLW

SUPERSEDING CRIMINAL INFORMATION

COUNT I

The United States Attorney charges that:

At all times relevant to the Criminal Information:

Introduction

1. Pursuant to Title 18, United States Code Section 2341, “Contraband Cigarettes” means a quantity in excess of 10,000 cigarettes (or 50 cartons of cigarettes), which bear no evidence of the payment of applicable state or local cigarette taxes in the state or locality where such cigarettes are found.

2. It is common for cigarettes to be packaged as follows: twenty (20) cigarettes in a pack and ten (10) packs of cigarettes in one carton, thirty (30) cartons in a "half case" and Sixty (60) cartons in a master case.

3. At all times relevant to the Criminal Information, the State of Missouri, St. Louis County, Missouri, city of St. Louis, Missouri, State of New York, and the City of New York required that a tax stamp be affixed to each package of cigarettes as proof of tax payments.

4. S.C. is a national wholesale club with headquarters in Bentonville, Arkansas and with stores located throughout the United States including the States of Missouri and Georgia. Consumers may purchase products at S.C., including cigarettes provided they have a membership in S.C.

5. C.W. is a national wholesale club with headquarters in Issaquah, Washington and with stores located throughout the United States including the States of Missouri and Georgia. Consumers may purchase products at C.W., including cigarettes provided they have a membership at C.W.

6. At all times relevant to the Criminal Information the cigarette tax in Missouri was substantially lower than the cigarette tax in New York. New York currently imposes a combined state-local tax of \$5.85 per package of cigarettes compared with Missouri which currently imposes a combined state-local tax in the City of St. Louis of .24 cents per package and combined state-local tax in St. Louis County of .22 cents per package of cigarettes.

7. It was the purpose of the conspiracy for defendants and others known and unknown to enrich themselves by purchasing large quantities of cigarettes in Missouri and Georgia, where the state tax on cigarettes is substantially lower than in New York, transporting those cigarettes to New York, selling those cigarettes without paying the New York cigarette tax, and concealing said transactions, resulting in a substantial profit.

COUNT ONE

Paragraphs one (1) through six (7) of the Introduction to this Information are hereby re-alleged and incorporated by reference, as though fully set forth herein.

A. The Conspiracy

8. Beginning in or before 2011, with the exact date unknown and continuing through

the date of this criminal information, within the Eastern District of Missouri and elsewhere:

YAKOV PISMAN, a/k/a "Yasha," a/k/a Yacov Pisman,

the defendants herein, did knowingly and willfully combine, conspire, confederate and agree

with others known and unknown, to commit certain offenses against the United States, to wit:

- a. to knowingly transport, receive, possess, sell, distribute and purchase, in excess of 10,000 contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit, a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in New York in violation of 18 U.S.C. § 2342(a);
- b. to engage in financial transactions knowing that the property involved in said offenses was the proceeds of some form of unlawful activity, knowing that the transactions were designed, at least in part, to promote the carrying on of the specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(A)(i);
- c. to engage in financial transactions knowing that the property involved in said offenses was the proceeds of some form of unlawful activity, knowing that the transactions were designed, at least in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of said proceeds of the specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i); and

B. Manner and Means of the Conspiracy

In furtherance of the conspiracy and to effect the illegal objects thereof, members of the conspiracy used the following manner and means, among others:

9. It was further part of the conspiracy that the defendants and co-conspirators deposited cash into banks where cigarette buying accounts had been established in order to fund the purchase of cigarettes;

10. It was further part of the conspiracy that the defendants and co-conspirators purchased substantial quantities of cigarettes utilizing cash and/or a combination of other forms of payment in order to fund the purchase of cigarettes;

11. It was further part of the conspiracy that the defendants and co-conspirators utilized fictitious companies and corporations to purchase substantial quantities of the cigarettes.

12. It was further part of the conspiracy that the defendants and co-conspirators developed fictitious corporations/businesses to establish bank accounts at a number of financial institutions, both in Missouri and New York of which many deposits into these accounts were typically structured (in amounts just under the mandated \$10,000.00 reporting requirements of the Bank Secrecy Act).

13. It was further part of the conspiracy that the defendants and co-conspirators obtained multiple business memberships from one or both of the S.C. or C.W. warehouse chain stores, and multiple membership cards for multiple co-conspirators.

14. It was further part of the conspiracy that once the defendants and co-conspirators obtained a membership account that had been initiated at one or both of the S.C. or C.W. warehouse chain stores, purchases were made on the membership business account at any of the store locations for that warehouse chain.

15. It was further part of the conspiracy that once the defendants and co-conspirators obtained the bulk amounts of the Missouri and/or Georgia tax stamped cigarettes they would be transported by private vehicle, rental vehicle, semi-tractor trailer, or shipped via commercial companies like UPS and FedEx.

16. It was further part of the conspiracy that the defendants and co-conspirators utilized storage facilities, as well as garages, to store and/or repackage bulk quantities of Missouri or Georgia taxed stamped cigarettes.

17. It was further part of the conspiracy that the defendants and co-conspirators utilized telephones and other means to communicate during the life of the conspiracy.

18. It was further part of the conspiracy that the defendants and co-conspirators would utilize motor vehicles and commercial airlines for the purpose of traveling throughout the United States to accomplish and attempt to accomplish the scheme.

C. Overt Acts

In furtherance of the conspiracy and in order to accomplish its objectives and purposes, at least one of the following overt acts, among others, was committed by one or more of the co-conspirators in the Eastern District of Missouri and elsewhere:

19. Paragraphs 8 through 18 above are hereby re-alleged and incorporated as overt acts in furtherance of this conspiracy.

20. On April 27, 2009, **Yakov Pisman** and Jacob Sheyn were stopped in the State of Maryland by law enforcement officers with approximately 2,791 cartons of contraband cigarettes.

21. On September 15, 2009, a C.W. business account was established by **Yakov Pisman** and another person under the business name of Top Cigars Supply, Inc., having the address of 4717 Calibre Creek Parkway, Roswell, Georgia 30076, which is a UPS store.

22. Between May and August 2015, members of the CTO utilized the Costco Club membership with the account name of Top Cigars Supply Inc., which was in the name **Yakov Pisman**, and made twenty-one purchases and acquired 9,546 cartons of Georgia tax stamped cigarettes costing a total of \$456,994.38. The purchases were funded over this timeframe by twenty-three separate wire transfers to Costco from five different New York based funding accounts totaling \$449,529.06 with the remainder being made up with cash, prepaid cards, shopping cards, debit cards and credit cards.

23. On September 02, 2015, **Yakov Pisman** directed Volodymyr Zyuz to purchase the following cigarettes in Missouri for transportation back to New York: Marlboro medium-short 10, medium long 10, Light Gold short mint 10, and mint long 10; Vera for 15 all kinds, Gold 100 20 pieces, Gold 120, 20, Silver Long 10, Eva 30, Eva Blue 15, Mama Light Short 60, Mama Light Long 30, Red 1 of each, Super Light, 15 each, Blue, 5 or 6, and 1 short.

24. On September 30, 2015, Vladimir Shamis placed an order with **Yakov Pisman** for approximately 978 cartons of Missouri tax-stamped cigarettes.

25. On October 10, 2015, Vladimir Shamis placed an order with **Yakov Pisman** for approximately 944 cartons of Missouri tax-stamped cigarettes.

26. On October 03, 2015, **Yakov Pisman** gave Oleksandr Zyuz a cigarette order. Yakov Pisman placed the following order: "60 Blue Long, 30 Blue short, 240 Marlboro Gold Long, 30 Marlboro Gold Short, 60 Marlboro Red Short, 30 Marlboro red short, 60 Silver Long, 30 Marlboro Gold Menthol, 30 Marlboro Gold Menthol, 3 Camel Full Flavor, 2 Camel Blue, 30 Capri Magenta 120, 30 Capri Magenta 100, 10 Capri 12 Menthol Indigo, 10 Eva Amethyst, 30 Eva Subfire, 10 Newport short, 30 Newport Long, 30 Vera Gold short, 10 Vera Silver 120, 5f4 Vera lipstick super slim, 30 Vera silver short, 10 Vera, Virginia, Menthol super slim, lipstick, 10 Capri Violet, 10 Vera Box, 3 Capri J".

27. On October 28, 2015, Oleksandr Zyuz dictated 499 580 2594 TOLA (A bank account of Tola Medical Supply which was used to purchase cigarettes) to **Yakov Pisman**. Yakov Pisman told Oleksandr Zyuz it was better to deposit cash with different tellers and to deposite under ten thousand cash in order to structure the monetary transactions.

28. On October 25, 2015, Oleg Godko and **Yakov Pisman** discussed law enforcement surveillance.

29. On October 25, 2015, law enforcement officers conducting surveillance of 3049 Brighton 6th Street observed both **Yakov Pisman** and Oleksandr Zyuz exit the basement area of the address.

30. On March 3, 2016 a search warrant was executed at 3049 Brighton 6th Street Brooklyn, NY 11235, **Yakov Pisman's** storage location. Agents seized 541 cartons of Missouri stamped cigarettes, as well as documents related to the CTO.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

The United States Attorney charges that:

On or about March 25, 2013, in the Eastern District of Missouri and elsewhere,

YAKOV PISMAN, a/k/a "Yasha," a/k/a Yacov Pisman,

the defendant, travelled in interstate commerce between the State of New York and the State of Missouri, with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is, to engage in financial transactions knowing that the property involved in said offenses was the proceeds of some form of unlawful activity, knowing that the transactions were designed, at least in part, to promote the carrying on of the specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(A)(i), and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity to wit: Yakov Pisman obtained a Missouri State Identification which was later used to obtain an account for Pantera Wholesale Inc. at a Bank of America branch.

In violation of Title 18, United States Code, Section 1952(a)(3).

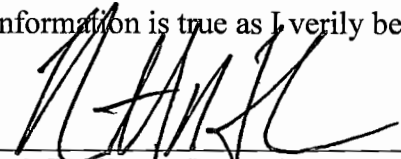
JEFFREY B. JENSEN
United States Attorney



KENNETH R. TIHEN, #37325MO
Assistant United States Attorney


UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, Kenneth R. Tihen, Assistant United States Attorney for the Eastern District of Missouri, being duly sworn, do say that the foregoing information is true as I verily believe.


KENNETH R. TIHEN, #37325MO

Subscribed and sworn to before me this 22nd day of February, 2018.


CLERK, U.S. DISTRICT COURT

By: 
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

v.

YAKOV PISMAN

Date of Original Judgment: 6/25/2018

§ AMENDED JUDGMENT IN A CRIMINAL CASE

§

§

§ Case Number: SI-4:16-CR-00066-RLW

§ USM Number: 41565-054

§ Peter M. Cohen

§ Defendant's Attorney

THE DEFENDANT:

<input checked="" type="checkbox"/>	pleaded guilty to count(s)	one and two of the superseding information on February 22, 2018.
<input type="checkbox"/>	pleaded guilty to count(s) before a U.S. Magistrate Judge, which was accepted by the court.	
<input type="checkbox"/>	pleaded nolo contendere to count(s) which was accepted by the court	
<input type="checkbox"/>	was found guilty on count(s) after a plea of not guilty	

The defendant is adjudicated guilty of these offenses:

Title & Section / Nature of Offense

18:371.F Conspiracy To Traffic In Contraband Cigarettes and Money Laundering

18:1952-7400.F Traveling In Interstate Commerce With The Intent To Promote, Manage, Establish, Carry On, Or Facilitate The Promotion, Management, Establishment, Or Carrying On, Of Any Unlawful Activity, Money Laundering

Offense Ended

02/18/2016

02/18/2016

Count

1s

2s

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☐ Count(s) ☐ is ☐ are dismissed on the motion of the United States

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 18, 2020

Date of Imposition of Judgment

Ronnie L. White

Signature of Judge

RONNIE L. WHITE

UNITED STATES DISTRICT JUDGE

Name and Title of Judge

November 18, 2020

Date

DEFENDANT: YAKOV PISMAN
CASE NUMBER: 4:16-CR-00066-RLW(1)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

87 months. This consists to 60 month(s) as to count 1s and 27 month(s) as to count 2s, with the sentence in count 2s to run consecutive to the sentence in count 1s.

☒ The court makes the following recommendations to the Bureau of Prisons:

While in the custody of the Bureau of Prisons, it is recommended the defendant be evaluated for mental health treatment. It is also recommended the defendant be evaluated for participation in an Occupational/Educational program and that the defendant participate in the Financial Responsibility Program while incarcerated. It is further recommended that the defendant be housed as close as possible to New York City. Such recommendations are made to the extent they are consistent with the Bureau of Prisons policies.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at ☐ a.m. ☐ p.m. on

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

MARSHALS RETURN MADE ON SEPARATE PAGE

DEFENDANT: YAKOV PISMAN
CASE NUMBER: 4:16-CR-00066-RLW(1)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **three (3) years.**

This term consists of a term of three years on each of counts 1 and 2, all such terms to run concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at the www.uscourts.gov.

Defendant's Signature _____

Date _____

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SPECIAL CONDITIONS OF SUPERVISION

While on supervision, the defendant shall comply with the standard conditions that have been adopted by this Court and shall comply with the following additional conditions. If it is determined there are costs associated with any services provided, the defendant shall pay those costs based on a co-payment fee established by the probation office.

You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(I)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation.

You must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.

You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

You must apply all monies received from any anticipated and/or unexpected financial gains, including any income tax refunds, inheritances, or judgments, to the outstanding Court-ordered financial obligation. You must immediately notify the probation office of the receipt of any indicated monies.

If the judgment imposes a financial penalty, you must pay the financial penalty in accordance with the Schedule of Payments sheet of the judgment. You must also notify the court of any changes in economic circumstances that might affect the ability to pay this financial penalty.

You must participate in an educational services program and follow the rules and regulations of that program. Such programs may include high school equivalency preparation, English as a Second Language class, and other classes designed to improve your proficiency in skills such as reading, writing, mathematics, or computer use.

You must immediately report or surrender to U.S. Immigration and Customs Enforcement and follow all their instructions and reporting requirements until any deportation proceedings are completed.

If you are ordered deported from the United States, you must remain outside the United States, unless legally authorized to re-enter. If you re-enter the United States, you must report to the nearest probation office within 72 hours after you return.

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CRIMINAL MONETARY PENALTIES

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$200.00	\$53,600,000.00	\$.00		

- ☐ The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- ☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

The defendant must pay the total criminal monetary penalties under the schedule of payments page.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

New York State Department of Taxation and Finance
 Building 8; WA Harriman Campus; Albany, NY 12227

\$53,600,000.00

- ☐ Restitution amount ordered pursuant to plea agreement \$
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the schedule of payments page may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ the interest requirement is waived for the ☐ fine ~~☒ restitution~~
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

All criminal monetary penalties are due in full immediately. The defendant shall pay all criminal monetary penalties through the Clerk of Court. If the defendant cannot pay in full immediately, then the defendant shall make payments under the following minimum payment schedule: During incarceration, it is recommended that the defendant pay criminal monetary penalties through an installment plan in accordance with the Bureau of Prisons' Inmate Financial Responsibility Program at the rate of 50% of the funds available to the defendant. If the defendant owes any criminal monetary penalties when released from incarceration, then the defendant shall make payments in monthly installments of at least \$500, or no less than 10% of the defendant's gross earnings, whichever is greater, with payments to commence no later than 30 days after release from imprisonment. Until all criminal monetary penalties are paid in full, the defendant shall notify the Court and this district's United States Attorney's Office, Financial Litigation Unit, of any material changes in the defendant's economic circumstances that might affect the defendant's ability to pay criminal monetary penalties. The defendant shall notify this district's United States Attorney's Office, Financial Litigation Unit, of any change of mailing or residence address that occurs while any portion of the criminal monetary penalties remains unpaid.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☒ Lump sum payments of \$ 53,600,200.00 due immediately, balance due
☐ not later than _____, or
☒ in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal 20 (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ Special instructions regarding the payment of criminal monetary penalties:
It is ordered that the Defendant shall pay to the United States a special assessment of \$200.00 for Counts 1s and 2s , which shall be due immediately and Restitution of \$53,600,000.00. Said special assessment shall be paid to the Clerk, U.S. District Court.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☒ Joint and Several
See above for Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

This obligation is joint and several with Max Tkach, Sergei Kishchenko, Oleg Deych, Svetlana Kishchenko, Volodymyr Zyuz, Mykhailo Zyuz, Oleksandr Zyuz, Aleksandr Arbitman, Oleg Godko, Jacob Sheyn, Vyacheslav Gershanovich, Inessa Vatman, and Roman Karapchuk.

- ☐ Defendant shall receive credit on his restitution obligation for recovery from other defendants who contributed to the same loss that gave rise to defendant's restitution obligation.
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

DEFENDANT: YAKOV PISMAN
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USM Number: 41565-054

**UNITED STATES MARSHAL
RETURN OF JUDGMENT IN A CRIMINAL CASE**

I have executed this judgment as follows:

Date defendant was delivered with certified copy of this judgment:_____

Name and location of facility:_____


☐ Defendant was sentenced to Time Served and was released on:_____

☐ Defendant was sentenced to _____ months/years of Probation and was released on:_____

☐ Defendant was sentenced to _____ months/years of Supervised Release and was released on:_____

NAME OF US MARSHAL/WARDEN

By: NAME OF DEPUTY US MARSHAL/CSO

PROB 22 (Rev. 01/24)		DOCKET NUMBER (Tran. Court) 4:16CR00066-1 RLW	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court)	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Yakov Pisman 1900 Quentin Road, Apt. F5 Brooklyn, New York 11235	<u>DISTRICT</u> Eastern District of Missouri	<u>DIVISION</u> Eastern Division St. Louis, MO	
<div style="text-align: center; color: red;"> FILED IN CLERK'S OFFICE US DISTRICT COURT E.D.N.Y. * MAY 23, 2024 * BROOKLN OFFICE 24-CR-216 Judge Margo K. Brodie </div>	<u>NAME OF SENTENCING JUDGE</u> The Honorable Ronnie L. White United States District Judge		
	<u>DATES OF PROBATION/SUPERVISED RELEASE:</u>	<u>FROM</u> 10/10/2023	<u>TO</u> 10/09/2026
<u>OFFENSE</u> Count 1: Conspiracy to Commit Offense Against the United States Count 2: Traveling in Interstate Commerce to Promote Unlawful Activity			
<u>JUSTIFICATION/REASON FOR TRANSFER (e.g., prosocial ties, employment/education opportunities, violation of supervision)</u> Defendant has established stable residence in receiving district.			
PART 1 – ORDER TRANSFERRING JURISDICTION			
<u>UNITED STATES DISTRICT COURT FOR THE “Eastern District of Missouri”</u> IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Eastern District of New York upon that Court’s order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>May 8, 2024</u> <i>Date</i>	 <i>United States District Judge</i>		
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 – ORDER ACCEPTING JURISDICTION			
<u>UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK</u> IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>5/23/2024</u> <i>Effective Date</i>	<u>S/MKB</u> <i>United States District Judge</i>		